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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/045,604	10/23/2001	Kevin J. Dowling	C1104.70087US00	3464		
23628	7590	06/30/2008	EXAMINER			
WOLF GREENFIELD & SACKS, P.C. 600 ATLANTIC AVENUE BOSTON, MA 02210-2206				A, MINH D		
ART UNIT		PAPER NUMBER				
2821						
MAIL DATE		DELIVERY MODE				
06/30/2008		PAPER				

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10045604	10/23/01	DOWLING ET AL.	C1104.70087US00

EXAMINER

WOLF GREENFIELD & SACKS, P.C.  
600 ATLANTIC AVENUE  
BOSTON, MA 02210-2206

MINH D. A

ART UNIT      PAPER

2821      20080623

DATE MAILED:

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**Commissioner for Patents**

This is a response to the Applicant's submitted on 02/28/08. Claims 71-72, 74-79, 81-92, 95-125, 166-173, 323 and 325-341 are currently presented in the instant application.

1.      Applicant has suggested an interference pursuant to 37 CFR 41.202(a) in a communication filed 10/16/06. Applicant failed to (1) identify all claims the applicant believes interference, and/or (2) propose one or more counts, and/or (3) show how the claims correspond to one or more counts. See 37 CFR 41.202(a)(2) and MPEP 2304.02(b).

Claims 323-341 have been added or amended in a communication filed on 1/19/06 to provoke an interference. Applicant failed to provide a claim chart showing the written description for each claim in the applicant's specification. See 37 CFR 41.202(a)(5) and MPEP § 2304.02(d).

In order to facilitate the procedure for forwarding the application to the BPAI for considering and declaring an interference, it is suggested that a reply to this office action contains all the information required under 37 CFR 4(202)(a)(1) through (a)(6). Applicant is given ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing date of this communication to correct the deficiency(ies). THE PROVISIONS OF 37 CFR 1.136 DO NOT APPLY TO THE TIME SPECIFIED IN THIS ACTION.

/Minh A/

Examiner, Art Unit 2821

Date 6/23/08

/Douglas W Owens/  
Supervisory Patent Examiner, Art Unit 2821

PTO-90C (Rev.04-03)